



RCE  
TJW

PATENT  
ATTORNEY DOCKET: 46970-5111

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Yoshiaki MORIYAMA et al. ) Confirmation No.: 3429  
Application No.: 09/851,391 ) Group Art Unit: 2132  
Filed: May 9, 2001 ) Examiner: Benjamin E. Lanier  
For: COPYRIGHT PROTECTING )  
METHOD, RECORDING METHOD, )  
RECORDING APPARATUS, )  
REPRODUCTION METHOD AND )  
REPRODUCTION APPARATUS )

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop RCE**  
Alexandria, VA 22314

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- Previously submitted:  
 Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on December 21, 2005. (Any unentered amendment(s) referred to above will be entered).  
 Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

02/10/2006 JA0001 00000022 09851391

- Enclosed: 01 FC:1801      790.00 OP  
 Supplemental Remarks  
 Declaration Under 37 C.F.R. § 1.132  
 Information Disclosure Statement  
 PTO Form 1449 (with \_\_\_\_\_ documents attached)  
 Other: \_\_\_\_\_

## 2. Miscellaneous

- Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).
- Change of Correspondence Address
- Submission of Revocation of Change of Power of Attorney and Grant of New Power of Attorney

## 3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)

\$790.00  
 \$385.00 (for small entity)

- (b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	15	minus	30	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	7	minus	7	0	x \$200 each =	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

- (c) Extension of Time

Applicants believe that no extension of time is required because a Notice of Appeal was filed on December 9, 2005 in this application. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

- Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months <u>Requested</u>	Fee for <u>Extension</u>	Fee for Small Entity
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$ 1020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

Extension of time fee due with this request: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

#### 4. Fee Payment

- Enclosed is a check in the amount of **\$790.00** for the RCE filing fee.
- The Commissioner is hereby authorized to charge the Deposit Account No. 50-0573 in the amount of \_\_\_\_\_.
- EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**



By:

Paul A. Fournier  
Registration No. 41,023

Dated: February 9, 2006

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